

IN THE CLAIMS

1. (Currently Amended) A game machine ~~[[which]]~~ that is provided with ~~[[a]]~~ an electrically rewritable nonvolatile memory having two or ~~[[three]]~~ more game data backup areas, said game machine being capable of writing in an electrically rewritable storing area and writes game data ~~[[in]]~~ into said backup areas, comprising:

~~an area selecting means for preferentially~~ a backup memory area selector for selecting, as a write-objective backup area for storing last game data when last game data is to be written, a backup area stored with containing previously stored game data having an older of oldest writing ~~[[time]]~~ age among ~~[[the]]~~ said two or ~~[[three]]~~ more backup areas ~~as a write-objective backup area of the last game data;~~

~~a writing means for executing a~~ memory controller for writing ~~[[of]]~~ the last game data to ~~[[said]]~~ a backup area selected as said write-objective backup area ~~[[selected]]~~ by said area selector ~~selecting means;~~

~~a determining means~~ processing mechanism for determining whether or not ~~[[the]]~~ a writing of the last game data ~~[[could]]~~ can be performed by said memory controller ~~writing means;~~

~~a repeating means for~~ selection repeater for repeating a selection of the write-objective backup area, ~~[[when]]~~ if it is determined ~~[[the]]~~ that writing of the last game data ~~[[could]]~~ can not be performed by said determining means, ~~a selection of the write-objective backup area by said area selecting means as necessary; and~~

~~a prohibiting means~~ writing prohibitor for prohibiting a writing to said write-objective backup area ~~[[when]]~~ only when a backup area ~~stored with~~ containing game data ~~written~~ saved immediately before the last game data ~~finally becomes a selectable state by said area selecting means, a writing to said write-objective backup area selectable as a write-objective backup area.~~

2. (Currently Amended) A game machine according to claim 1, wherein
said ~~writing means writes~~ processing mechanism records historical data for information used for determining relative age ~~discriminating between oldness and newness~~ of ~~[[the]]~~ generated game data, ~~[[by]]~~ being included said historical information

being included as part of said [[in the]] last game data,

and said ~~area selecting means~~ selector selects, before writing the last game data, a backup area stored with game data written earlier than the last game data as the write-objective backup area based on the basis of the said historical data information.

3. (Currently Amended) A game machine according to claim 1, wherein said ~~prohibiting means~~ writing prohibitor includes a ~~forcedly terminating means~~ writing process terminator for forcedly terminating a writing process of the last game data when only the backup area stored with the game data written immediately before the last game data finally becomes [[a]] selectable [[state]] by said ~~area selecting means~~ selector as the write-objective backup area.

4. (Currently Amended) A game machine according to claim 1, further comprising a message ~~displaying~~ displayor [[means]] for displaying a predetermined alarm message when the writing is prohibited by said prohibiting means.

5. (Currently Amended) A game data backup control ~~program by which the~~ method wherein game data is written [[in]] into two or [[three]] more backup areas in an electrically rewritable ~~storing~~ storage area of a nonvolatile memory connected to a game machine, ~~the program makes a computer of said~~ the game machine ~~execute following steps of~~ including a CPU, comprising steps performed by said game machine CPU of:

~~an area selecting step for preferentially selecting, when last game data is to be~~ written stored, a backup area stored with game data having an older writing time among two or [[three]] more backup areas as a write-objective backup area ~~of the~~ for said last game data;

~~a writing step for executing a writing of the~~ said last game data to said write-objective backup area selected by said area selecting step;

~~a determining step for determining whether or not the writing of the last game~~ data could be performed by said writing step;

~~a repeating step for repeating, when it is determined the writing of the last game~~ data could not be performed by said determining step, a selection of the writing object

backup area ~~by said area selecting~~ means as necessary; and

~~a prohibiting step for prohibiting a writing to said write-objective backup area,~~
when only a backup area stored with game data written immediately before the last
game data ~~finally becomes a~~ is selectable ~~[[state]]~~ by said area selecting step, ~~a writing~~
~~to said write-objective backup area.~~

6. (Currently Amended) A game data backup control program method according to claim 5, wherein

said writing step ~~writes~~ includes writing historical data for discriminating between relative age oldness and newness of ~~[[the]]~~ previously stored game data, said historical data being by being included in ~~[[the]]~~ said last game data~~[[,]]~~.

~~said area selecting step selects, before writing the last game data, a backup area stored with game data written earlier than the last game data as the write-objective backup area on the basis of the historical data.~~

7. (Currently Amended) A game data backup control method according to claim 5, wherein said ~~[[area]]~~ selecting step ~~selects~~ includes, before writing the last game data, selecting a backup area stored with game data written earlier than the last game data as the write-objective backup area on the basis of the historical data.

~~[[7]]~~8. (Currently Amended) A game data backup control program method according to claim 5, wherein

said prohibiting step includes ~~a forcibly terminating step for~~ forcibly terminating a writing process of the last game data when only the backup area stored with the game data written immediately before the last game data ~~finally becomes the selectable state~~ selected as the write-objective backup area by said area selecting step.

~~[[8]]~~9. (Currently Amended) A game data backup control program method according to claim 5, further comprising: ~~a message displaying step for~~ displaying a predetermined alarm message when ~~[[the]]~~ said writing step is prohibited by said prohibiting step.

[[9]]10. (Currently Amended) A game data backup control method ~~by which for~~ controlling whether last game data is written in two or three more into backup areas in an electrically rewritable ~~storing~~ storage area of a nonvolatile memory connected to a game machine, comprising ~~following~~ steps of:

(a) selecting, ~~as a write-objective backup area,~~ a backup area ~~which stores in~~ said non-volatile memory that contains an oldest written game data having an older writing time and to which is available for storing said last game data is writable; and

(b) ~~canceled,~~ canceled writing of said last game data when [[a]] writing into said selected write-objective backup area is not executable and only a backup area ~~stored~~ with containing game data stored immediately before the last game data was generated is available for selecting ~~is selectable~~ as a write-objective backup area, ~~the last game data so as to leave intact the game data that was written~~ stored immediately before generating the last game data.

Please add the following new claim:

11. (New) In a game machine having a nonvolatile memory, said memory including a plurality of electrically rewritable game data backup storage areas, a method of backing up game data, comprising:

(a) generating last game data corresponding to a last game played;

(b) designating one of said game data backup storage areas that contains older written game data relative to game data written in other backup storage areas as a write-objective target for storing said last game data; and

(c) canceling writing of said last game data into said backup storage area if writing to said backup storage area designated in (b) can not be performed and the only backup storage area that is available for designating in step (b) is a backup storage area that contains game data that was stored immediately prior to generating said last game data.